

**Meeting audio can be found at [lebanontownship.net](http://lebanontownship.net).**

**Lebanon Township Committee  
September 1, 2021**

**Minutes of Regular Meeting**

**CALL TO ORDER**

Mayor Mike Schmidt called the meeting to order at 7:00 p.m. and stated that in compliance with the “Open Public Meeting Act” this is a Regular Meeting of the Township Committee as published in the Hunterdon Review, the agenda has been posted at the Municipal Building and distributed to the Hunterdon Review, Courier News, the Express Times, the Hunterdon County Democrat and the Star Ledger.

**FLAG SALUTE**

Mayor Schmidt asked everyone to please stand for the Flag Salute and for a moment of silence in recognition of the 20<sup>th</sup> anniversary of the attacks on 911 and to the 20-year war in Afghanistan and honoring all of those who lost their lives, including the 13 lives lost in the final days of the US occupation there, and the sacrifices of all that volunteered to serve as Veterans and First Responders.

**ROLL CALL**

Present -                   Mike Schmidt                   Thomas McKee                   Marc Laul  
                                  Beverly Koehler               Abe Abuchowski

Absent-

Also Present -            Attorney Matt Lyons, Administrator James Barberio, Clerk Karen Sandorse and 2 members of the public.

**PRESENTATION OF MINUTES**

**Minutes of the August 18, 2021 Regular and Executive Session Meetings**

**PUBLIC COMMENTS – for agenda items only.**

*Motion by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:01 p.m.*

There were no comments from the public.

*Motion by Mr. Laul seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 7:02 p.m.*

## **ORDINANCES**

## **RESOLUTIONS**

## **OLD BUSINESS**

### **Bow Hunting Licenses**

Mr. Laul informed the Committee that 7 applications have been received for Bow Hunting licenses.

### **Sign Ordinance**

Mr. Abuchowski said that he spoke with Attorney Lyons about the Sign Ordinance. Attorney Lyons said that he will provide the proposed ordinance to Mr. Abuchowski by the end of the week for discussion.

## **NEW BUSINESS**

Mr. Abuchowski stated that a number of times resolutions have come before the Committee without prior discussions. He suggested developing procedures that will define the process in which a resolution or ordinance is created and how it came about. Mr. Abuchowski said that there should be adequate discussion and people should be aware of the Committee's intentions prior to an ordinance or resolution being placed before them. Mayor Schmidt stated that some meetings ago the Committee considered a resolution that would establish policies for meetings. He feels that this resolution would be a good place to integrate Mr. Abuchowski's concerns. Mr. Abuchowski said that the resolution is different from what he is speaking of. Mr. Abuchowski volunteered to sit on a subcommittee to work on the procedures. Mr. McKee volunteered to sit on the subcommittee also.

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee designated Mr. McKee and Mr. Abuchowski as a subcommittee to study the process to be followed when developing a resolution or ordinance and what approvals are needed and at what point in time.*

## **PRESENTATION OF VOUCHERS**

Committee Members provided a description of vouchers exceeding \$1000.00.

*Motion by Ms. Koehler, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee approved the September 1, 2021 bill list in the amount of \$ 2,797,949.05.*

## **CORRESPONDENCE**

- a. Curator's Report

**PUBLIC COMMENTS**

*Motion by Ms. Koehler, seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee opened the Public Comment portion of the meeting at 7:12 p.m.*

Mr. Ron Milkowski asked if the Committee is just looking to make changes in the process of adopting resolutions or ordinances or if they will be researching the law for the procedures to follow.

Mr. Guy Wilson informed the Committee that he received a phone call from a Township resident who is concerned about an invasive plant, Mile-A-Minute, which she has seen in the Township.

*Motion by Mr. Abuchowski, seconded by Mr. Laul and carried by unanimous favorable roll call vote, the Township Committee closed the Public Comment portion of the meeting at 7:16 p.m.*

**EXECUTIVE SESSION**

*Motion by Ms. Koehler seconded by Mr. Abuchowski and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 78-2021 and convened in executive session at 7:17 p.m. No action will be taken.*

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
RESOLUTION NO. 78-2021**

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Committee find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Committee will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*

\_\_\_\_\_A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon:

\_\_\_\_\_);

\_\_\_\_\_A matter where the release of information would impair a right to receive funds from the federal government;

\_\_\_\_\_ A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

\_\_\_\_\_ A collective bargaining agreement, or the terms and conditions thereof (Specify contract: \_\_\_\_\_);

\_\_\_\_\_ A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

\_\_\_\_\_ Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

\_\_\_\_\_ Investigations of violations or possible violations of the law;

Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is): The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.) **Ordinance No. 2021-07 – Cannabis**

\_\_\_\_\_ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer or the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.); The general nature of the matter is:

\_\_\_\_\_ Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: And whereas the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.

\_\_\_\_\_ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Committee hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Township Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

The public meeting was reconvened at 8:05 p.m.

**ADJOURNMENT**

Having no further business to come before the Committee a motion was made by Mr. Laul, seconded by Ms. Koehler and carried by unanimous favorable roll call vote to adjourn the meeting at 8:06 p.m.

Respectfully submitted,

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Karen J. Sandorse, RMC/CMC  
Municipal Clerk

Approved: September 15, 2021

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Mike Schmidt, Mayor